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SUBJECT: JULY HUMAN RIGHTS UPDATE

REF: BOGOTA 1369

SUMMARY

1. The GOC launched its administrative reparations program; President Uribe issued reparations to victims of paramilitary, FARC and ELN violence in Popayan, Monteria and Medellin. To date, 230,000 individuals have registered to receive administrative reparations. United Nations Special Rapporteur on indigenous issues applauded recent GOC efforts to protect indigenous rights, but noted the situation of Colombia's indigenous remains "precarious." The GOC reported an alarming increase in murders of indigenous leaders -- 56 in the first five months of 2009. The Fiscalía issued preventive detention orders for 9 soldiers implicated in the 1998 murder of an indigenous activist, and 15 members of the Armed Forces were sentenced to between 5 and 30 years imprisonment for "false positive" killings in 2006. End Summary.

GOC BEGINS ADMINISTRATIVE REPARATIONS

2. The GOC launched its administrative reparations program--signed a decree on April 22, 2008--to victims of the paramilitary, FARC, and ELN on July 5 (REFTEL). President Uribe made the first payments in Popayan (Cauca) to 300 victims. Later in the month, the President participated in events in Monteria (Cordoba) and Medellin (Antioquia). Approximately 4,500 individuals received reparations payments. Since the program's creation, 230,000 individuals have registered to receive administrative reparations. Eduardo Pizarro, President of the National Reparations and Reconciliation Commission, announced the GOC will pay 12,000 victims in 2009 and all registered victims by 2019. Victims receive between \$4550 and \$8500 depending on the type of crime they experienced. Victims have until April 22, 2010 to register.

INDIGENOUS SITUATION "PRECARIOUS"

3. United Nations Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people James Anaya issued his preliminary findings at the conclusion of his July 22-27 visit, noting the situation of Colombia's indigenous remains "precarious" despite GOC efforts. Anaya signaled illegal armed groups, particularly the FARC, as the principle violators of indigenous human rights, particularly

for murder, forced recruitment of children and the use of mines. Anaya recognized efforts by the military to respect indigenous rights, but noted allegations of abuse still exist.

¶4. Unknown actors murdered Changarra indigenous reserve governor Hector Betancur Domico on July 6 in Tierralta (Cordoba). According to the Presidential Human Rights Program Office, in the first five months of 2009, 56 indigenous leaders were murdered--more than double the 25 killed in the same period 2008.

¶5. Paez indigenous marched on July 24 to Corinto (Cauca) to protest violence against the Corinto Paez community. The Association of Indigenous Leaders of Northern Cauca called it a "march against violence" and announced 10,000 indigenous participated.

FISCALIA ADVANCES CASES

¶6. The Prosecutor General's office (Fiscalia) issued preventive detention orders for nine former members of the San Mateo Battalion, who are implicated in the 1988 death of 19-year old indigenous activist German Escue Zapata in Cauca.

In 2008, three additional members of the military were sentenced to 18 years each for their involvement in Escue's death. On July 31, a judge in Medellin sentenced 15 members of the Armed Forces to between 4 and 30 years imprisonment for the murder of two brothers on May 25, 2006. The military members had presented the victims as guerrillas killed in combat ("false positives").

¶7. The Prosecutor General's office issued a preventive detention order for former paramilitary leader Alcides Mattos Tabares, alias "El Samario," for his alleged involvement in the March 2001 murders of two Drummond unionists, Locarno Rodriguez and Orcasita Amaya. The Fiscalia is also investigating extradited former AUC leader Rodrigo Tovar, alias "Jorge 40," and Jairo Jesus Charris Castro. Brownfield